

Appl. No.: 10/563,615

Reply to Office Action of: 02/20/2009

REMARKS

New claims 21-23 have been added above to claim the features recited therein. New independent claim 22 is supported by the description at, for example, page 12, lines 1 to 14 and by figures 1, 3 to 5, 7 and 8. New dependent claim 21 is supported by the description, for example, at page 6, lines 14 to 16. New dependent claim 23 is supported by the description, for example, at page 9, lines 1 to 4, and the figures.

Support for amended dependent claim 4 is at page 8, lines 12 to 15. Dependent claims 10 and 11 are amended to clarify that the elongate diagonal is coincident with the second axis. This amendment has merely clarified the existing claim and therefore does not add any subject matter. Dependent claims 12 and 13 have been amended to address the Examiner's spelling correction request.

In the outstanding Office Action, the US Examiner has raised novelty objections against all of the claims, citing prior art document US2003/0036362 (Buessler). In particular, claims 1-18 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. patent publication No. US2003/0036362 (Buessler et al.). The examiner is requested to reconsider this rejection.

Embodiments of the present invention as defined by claim 1 relate to a casing for a handheld device. The casing comprises a front face on which a display and input device are provided. The operating face has an axis which defines an operation orientation of the device. The casing also comprises a first side sweep and a second side sweep which

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confront each other at respective ends and define the shape of the operating face. The first and second side sweeps provide discontinuities at their respective confrontations, the alignment of the discontinuities defining a second axis along the longest span of the casing.

As described on page 12 lines 1 to 14, embodiments of the invention provide a device having two side sweeps (rather than two sides and a top and a bottom). This allows the device to be used in a more ergonomic manner. The side sweeps are curved edges that provide a side region and either a bottom or top region in a single sweep so that a first side sweep provides the top region and one side region and the second side sweep provides the bottom region and the other side region (page 12 lines 9 to 11 and the accompanying figures).

Buesseler relates to a cover for a mobile communications device. The cover includes a resilient three-sided semi-rigid shell having a substantially U-shaped profile adapted to wrap around a substantial portion of a front, back and side of the mobile communication device (abstract). The three-sided shell provides additional surface area when compared to conventional single-sided faceplates. This additional surface area may be used for advertisement purposes.

#### Novelty

Buesseler does not disclose "the casing providing first and second side sweeps confronting each other at respective ends defining the shape of the generally planar operating face" as recited in independent claim 1. Instead, as described above, Buesseler discloses a mobile phone cover that has three sides

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with a U-shaped profile (i.e. not the same as two side sweeps that confront each other at their respective ends). Furthermore, the mobile phone cover of Buesseler does not define the shape of the generally planar operating face but instead is merely adapted to wrap around a phone.

Buesseler also does not disclose "the alignment of the discontinuities defining a second axis along the longest span of the casing". There is no disclosure of a second axis in Buesseler. There is certainly no disclosure of a second axis along the longest span of the casing.

Therefore, embodiments of the present invention are novel over Buesseler. Buesseler cannot be considered to "anticipate" claim 1 because Buesseler does not disclose all of the features of claim 1.

#### Obviousness

Embodiments of the invention provide the advantage that the side sweeps allow the device to be used in an ergonomic manner.

Buesseler relates to using a mobile phone cover to provide a greater surface area for advertising purposes. There is nothing in Buesseler which relates to making the operation of the device more ergonomic. Therefore Buesseler teaches away from embodiments of the present invention.

Even if they were to consider Buesseler there is nothing in the teaching of Buesseler which would motivate a person skilled in the art to modify the teaching of Buesseler to introduce side sweeps and so produce something falling within

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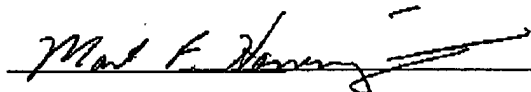
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the terms of the claims. Therefore the present invention is novel and non-obvious over Buesseler.

As independent claim 1 is novel and non-obvious, the claims that depend from independent claim 1 are also novel and non-obvious. Separate explicit argument concerning the patentability rejections raised against the dependent claims is not required.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,

  
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5/18/09  
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